

No. 5:18-CR-00452-FL-1

$$\begin{pmatrix}) \\) \\) \\) \\) \\) \\) \\) \end{pmatrix}$$

ORDER

Defendant shows the court that, consistent with the court's June 18, 2020, standing order on COVID-19 practices at the New Bern courthouse, he is a vulnerable individual because he is 59 years of age and suffers from Type II diabetes, chronic gastritis, arterial hypertension, obesity, and gastroesophageal reflux disease. (Detention Hr'g Tr. (DE 103) 44:4–16, 45:8–14). In addition, defendant relies upon the North Carolina governor's Executive Order 155, which extends phase two of the United States government's recommended phased approach to activity in the global pandemic through September 11, 2020. Lead counsel for defendant represents that he continues to have significant limitations on his ability to meet with his client and engage in necessary trial preparation due to the New York governor's Executive Order mandating 14-day quarantines for travelers from North Carolina to New York. Finally, lead counsel expresses that, although New York City has allowed interim phased reopening, his firm has a policy of allowing staff to work remotely in the pandemic.

Based on the foregoing, defendant's motion to continue trial of counts 27–29 and trial of all remaining counts against him for approximately 60 days (DE 593) is GRANTED. Trial of counts 27–29 of the fourth superseding indictment is CONTINUED to Tuesday, February 16, 2021, at New Bern, with administrative conference at 9:00 a.m. and jury selection beginning at 9:30 a.m. Trial of all remaining counts against defendant is CONTINUED to Monday, March 29, 2021, at New Bern, again with administrative conference at 9:00 a.m. and jury selection beginning at 9:30 a.m. The court finds that the ends of justice served by these continuances outweigh the best interests of the public and the defendant in a speedy trial.

Where trial of defendant Tatyana Anatolyevna Teyf, remains scheduled to commence December 7, 2020, the clerk shall serve copy of this order upon that defendant, who shall have 14

days within which to show good cause, if any, why her case should be continued until after that of her former ex-husband is concluded, as earlier was her request.

SO ORDERED, this the 24th day of August, 2020.


LOUISE W. FLANAGAN
United States District Judge